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Counsel for Defendant  
McKesson Corporation

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Chapter 11
	)	
	)	Case No. 15-23007 (RDD)
THE GREAT ATLANTIC & PACIFIC TEA	)	
COMPANY, INC., <i>et al.</i>	)	Jointly Administered
	)	
Debtors.	)	
	)	
The Official Committee of Unsecured Creditors on	)	
behalf of the bankruptcy estate of THE GREAT	)	
ATLANTIC & PACIFIC TEA COMPANY, INC.,	)	
<i>et al.</i>	)	
Plaintiff	)	Adv. Proc. No. 17-08264 (RDD)
	)	
v.	)	
	)	
McKESSON CORPORATION	)	
	)	
Defendant	)	

**UNILATERAL STATUS CONFERENCE REPORT**

Defendants McKesson Corporation, McKesson Pharmacy Systems LLC, and McKesson Specialty Distribution LLC (collectively, “McKesson”) file this Unilateral Status Conference Report.

1. On July 13, 2017, the Official Committee of Unsecured Creditors (the “Committee”), through its counsel, Pachulski Stang Ziehl & Jones LLP (“Pachulski”), filed three lawsuits against McKesson: (i) *Official Committee of Unsecured Creditors v. McKesson Corp.*, Adv. Pro. No. 17-08264-rdd; (ii) *Official Committee of Unsecured Creditors v. McKesson Pharmacy Systems LLC*, Adv. Pro. No. 17-08265-rdd; and (iii) *Official Committee of Unsecured Creditors v. McKesson Specialty Distribution LLC*, Adv. Pro. No. 17-08266-rdd (collectively, the “McKesson Lawsuits”).

2. On August 10, 2017, McKesson filed Answers to the Complaints in each of the McKesson Lawsuits.

3. On September 18, 2017, McKesson advised Pachulski in writing that it had a conflict of interest in prosecuting the McKesson Lawsuits, due to Pachulski’s representation of McKesson in an unrelated matter. That same day Pachulski advised McKesson that “the Committee will find substitute counsel to handle the McKesson [Lawsuits] ASAP.” The following day, September 19, 2017, McKesson was advised that another law firm — Kelly Drye & Warren LLP — would handle the McKesson Lawsuits.

4. On October 5, 2017, this Court held its initial status conferences in the McKesson Lawsuits. At those conferences, an attorney from Pachulski advised that Kelly Drye’s retention would be finalized in a couple of days. The Court then continued the status conferences until November 14, 2017.

5. On October 19, 2017, Kelly Drye advised counsel to McKesson that it would not be handling the McKesson Lawsuits. That same day, McKesson inquired of Pachulski as to the status of substitute counsel. McKesson did not receive a response to that inquiry.

6. On Monday, November 6, 2017, McKesson (through its counsel) wrote to Pachulski as follows: “It now has been 3 weeks since we last communicated about replacement counsel. Either the Committee obtains replacement counsel by the end of this week--November 10, 2017--or McKesson will move to dismiss the lawsuits for failure to prosecute.”

7. As the filing of this Unilateral Status Conference Report, no replacement counsel has appeared in the McKesson Lawsuits. McKesson intends to file motions to dismiss for failure to prosecute, and will ask the Court at the November 14, 2017 status conference to set an appropriate schedule for same.

Dated: November 10, 2017

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